



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kristin Carman
Serial No. : 09/750,028
Filed : December 29, 2000
Title : COMPACT DISK CASE

Art Unit : 3622
Examiner : Yehdega Retta
Confirmation No.: 6435

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

SEP 14 2004

GROUP 3600

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), AMERICA ONLINE, INC., certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was filed in the Patent and Trademark Office on July 12, 2001. A copy of the assignment and a copy of the stamped postcard attesting to the filing date is attached for your reference. America Online, Inc. also certifies that it is the assignee of U.S. application serial no. 09/964,455. The assignment was originally recorded on March 5, 2002 at Reel 012629, Frame 0382 and a corrective assignment was recorded on May 13, 2002 at Reel 012992, Frame 0686 to correct a conveying party name on the assignment recorded at Reel 012629, Frame 0382. A copy of the recorded assignments for U.S. application serial no. 09/964,455 are provided for your reference.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in America Online, Inc.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of a patent granted on U.S. application serial no. 09/964,455, whereby the patent granted on this application and a patent granted on U.S. application serial no. 09/964,455 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with a patent granted on U.S. application serial no. 09/964,455.

09/29/2004 HJUNES1 00000002 061050 09750028
01 FC:1814 110.00 DA

See Charge

Applicant : Kristin Carman
Serial No. : 09/750,028
Filed : December 29, 2000
Page : 2 of 2

Attorney's Docket No.: 06975-139001 / Packaging 01

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of a patent granted on U.S. application serial no. 09/964,455 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of the patent to issue on U.S. application serial no. 09/964,455.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06975-139001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 9/8/04


W. Karl Renner 37,440 For
Reg. No. 41,265

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331